

Message Text

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PAGE 01 NEW DE 18369 211203Z
ACTION NEA-10

INFO OCT-01 ISO-00 EB-07 L-03 SSO-00 /021 W
----- 079220 /20
R 211117Z DEC 76
FM AMEMBASSY NEW DELHI
TO /US TREASURY WASHDC IMMEDIATE
SECSTATE WASHDC IMMEDIATE 179

LIMITED OFFICIAL USE NEW DELHI 18369

TREASURY FOR HUFBAUER

E.O.11652: N/A
TAGS: EFIN IN
SUBJECT: US-INDIA AIRCRAFT AGREEMENT

REF: STATE A-5763

1. THE FOLLOWING IS THE TEXT OF THE LETTER WHICH WE PROPOSE SENDING TO S.R. MEHTA. THE TEXT HAS BEEN AGREED INFORMALLY WITH THE GOI. THIS IS NOT PUT AS A FORMAL AMENDMENT TO THE AGREEMENT BECAUSE THIS WOULD MEAN SENDING THE AGREEMENT BACK TO THE CABINET COMMITTEE WHICH MIGHT TAKE SEVERAL MONTHS. THE GOI HAS NO PROBLEM IN INCORPORATING THE REGISTRATIION REQUIREMENT AS PART OF AGREEMENT BUT HOPES THAT A FURTHER EXCHANGE OF LETTERS WILL BE SUFFICIENT.

2. BEGIN TEXT: DEAR MR. MEHTA: ON NOVEMBER 26, 1976 WE EXCHANGED LETTERS CONCERNING A RECIPROCAL AIRLINE TAX EXEMPTION. IN THIS CONNECTION THE TEXT OF THE US NOTE DOES NOT MAKE A SPECIFIC REFERENCE TO THE AIRCRAFT REGISTRATION REQUIREMENT CONTAINED IN SECTIONS 872(B)(2) AND 883(A) (2) OF THE US INTERNAL REVENUE CODE OF 1974, AS AMENDED. FOR THIS REASON WE WISH, BY THIS LETTER, TO CONFIRM
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THE US STATUTORY REQUIREMENT THAT THE AIRCRAFT, INCOME FROM THE OPERATION OF WHICH IS EXEMPT FROM US INCOME TAX, BE REGISTERED IN INDIA, WHICH GRANTS AN EQUIVALENT EXEMPTION TO US CORPORATIIONS AND CITIZENS. I WOULD BE MOST GRATEFUL IF YOU WOULD KINDLY CONFIRM THIS LETTER SO AS TO MEET THE STATUTORY REQUIREMENT OF THE

US INTERNAL REVENUE CODE. SINCERELY, DAVID T. SCHNEIDER,
CHARGE D' AFFAIRES END TEXT.

3. NEED REPLY ASAP AS TO WHETHER THE LANGUAGE OF THIS
LETTER MEETS USG REQUIREMENTS. WE WISH TO SEND LETTER TO
MOF BY COB DECEMBER 23 SO THAT WE WILL BE ABLE TO RECEIVE
GOI RESPONSE BEFORE DECEMBER 31.
SCHNEIDER

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NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: COMMERCIAL AIRCRAFT, DIPLOMATIC COMMUNICATIONS, AVIATION AGREEMENTS
Control Number: n/a
Copy: SINGLE
Draft Date: 21 DEC 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: KelleyW0
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976NEWDE18369
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Document Unique ID: 00
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Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760468-0107
From: NEW DELHI
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19761224/aaaaauuu.tel
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Office: ACTION NEA
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
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Previous Channel Indicators: n/a
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Previous Handling Restrictions: n/a
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Review Authority: KelleyW0
Review Comment: n/a
Review Content Flags:
Review Date: 15 JUN 2004
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Review History: RELEASED <15 JUN 2004 by buchant0>; APPROVED <02 NOV 2004 by KelleyW0>
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Margaret P. Grafeld
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EO Systematic Review
04 MAY 2006

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Review Release Event: n/a
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Secure: OPEN
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TAGS: EFIN, EAIR, IN
To: TRSY STATE
Type: TE
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